

## ARTICLE V

*Jurisdiction*

7. Subject to this Article,
  - (a) the military authorities of Canada shall have the right to exercise within Ghana all criminal and disciplinary jurisdiction conferred on them by the law of Canada over all persons subject to Canadian military law; and
  - (b) the authorities of Ghana shall have jurisdiction over members and their dependents with respect to offences committed within the territory of Ghana and punishable by the law of Ghana.
  
8.
  - (a) The military authorities of Canada shall have the right to exercise exclusive jurisdiction over persons subject to the military law of Canada with respect to offences punishable by the law of Canada, but not by the law of Ghana.
  - (b) The authorities of Ghana shall have the right to exercise exclusive jurisdiction over members and their dependents with respect to offences punishable by its law but not by the law of Canada.
  
9. In cases where the right to exercise jurisdiction is concurrent, the following rules shall apply:
  - (a) The military authorities of Canada shall have the primary right to exercise jurisdiction over a person subject to the military law of Canada in relation to
    - (i) offences solely against the property or security of Canada, or offences solely against the person or property of a member or of a dependent; and
    - (ii) offences arising out of any act done or omission to do anything in the performance of official duty.
  - (b) In the case of any other offence, the authorities of Ghana shall have the primary right to exercise jurisdiction.
  - (c) If the Government having the primary right decides not to exercise jurisdiction, it shall notify the other Government as soon as practical. The authorities of the Government having the primary right shall give sympathetic consideration to a request from the authorities of the other Government for a waiver of its right in cases where that other Government considers such waiver to be of particular importance.
  
10. The foregoing provisions of this Article shall not imply any right for the military authorities of Canada to exercise jurisdiction over persons who are nationals of or ordinarily resident in Ghana unless they are persons subject to the military law of Canada.
  
11.
  - (a) The authorities of Ghana and Canada shall assist each other in the arrest of members or their dependents in the territory of Ghana and in handing them over to the authority which is to exercise jurisdiction in accordance with the above provisions.